

Exhibit L

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

**THERAPY PRODUCTS INC. d/b/a
ERCHONIA MEDICAL**

**3-07-CV-0381-N
ECF**

Plaintiff,

v.

**ROMAN CHUBATY, M.D., MERIDIAN
CO., LTD.
and AESTHETICMD**

Defendants.

JOINT STATUS REPORT

Pursuant to the Court's July 25, 2007 Order Requiring Status and Scheduling Conference, Therapy Products, Inc. d/b/a Erchonia Medical ("Plaintiff" or "Erchonia") and Meridian Co., Ltd. ("Meridian Co." or "Defendant")¹ (collectively, the "Parties")² hereby submit this Joint Status Report. Counsel for the Parties met and conferred pursuant to the Court's Order on August 8, 2007.

(a) **Statement of the Nature of the Case.** Plaintiff Erchonia asserts claims of false designation of origin and false description under § 43(a) of the Lanham Act, common law trademark infringement, passing off and unfair competition, trademark dilution, blurring (sic) and tarnishment, application for preliminary injunction, and request for permanent injunction. Meridian Co. has moved to dismiss Plaintiff's claims based on lack of proper service and lack of

¹ Defendant Meridian Co. participated in this conference and files this joint status report subject to its Motion to Dismiss filed on May 8, 2007. [Doc. No. 13]. Specifically, Meridian Co. contends that it has not been properly served with notice of this lawsuit and, accordingly, has not properly been made a defendant in this case.

² Defendants Roman Chubaty, M.D. and AestheticMD have settled and are no longer active defendants in this case.

personal jurisdiction. Meridian Co. has not yet answered and thus, has not asserted its affirmative defenses and claims, if any.

(b) **Status of Settlement Discussions.** The Parties have actively engaged in settlement discussions and have determined at this time that no settlement can be reached.

(c) **Possible Joinder of Additional Parties.** Plaintiff filed its Motion for Leave to File an Amended Pleading ("Motion for Leave") on June 28, 2007. [Doc. No. 28]. Plaintiff seeks to add Meridian Medical, Inc. ("Meridian Medical"), a Canadian company, as a party. Meridian Medical does not oppose Plaintiff's Motion for Leave.

(d) **Anticipated Challenges to Jurisdiction or Venue.** Meridian Co. filed its Motion to Dismiss alleging improper service and lack of personal jurisdiction on May 8, 2007.

(e) **Date by which case will be ready for trial/estimated length of trial.** The estimated length of trial will largely depend on the claims and defenses raised by Meridian Co. in its Answer, but the Parties' agree that the current estimated length of trial is five (5) days. Erchonia believes that the case will be ready for trial in June of 2008. Meridian Co. does not believe that the case will be ready for trial in June of 2008 given that Meridian Co., a Korean defendant, does not believe that it has been properly served, and Erchonia seeks leave to amend to add Meridian Medical, a Canadian defendant, as a party. Moreover, Meridian Co. has filed a Motion to Dismiss based on improper service and lack of personal jurisdiction and accordingly, has not answered Plaintiff's First Amended Complaint. Although Meridian Co. cannot predict when the case will be ready for trial, it estimates that the case will be ready for trial by January 2009.

(f) **Desirability of ADR/timing of ADR.** The Parties have already engaged in substantive settlement discussions and have determined that a settlement is not possible.

Erchonia is interested in participating in formal ADR. In light of the settlement discussions to date, Meridian Co. does not believe that participating in formal ADR would be productive.

(g) **Any objections to disclosure under Rule 26(a)(1).** The Parties have no objections to disclosure under Rule 26(a)(1).

Dated: August 22, 2007

Respectfully submitted,

FISH & RICHARDSON P.C.

By: /s/ Kelly R. Vickers

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the above and foregoing document has been served on August 22, 2007 to all counsel of record who are deemed to have consented to electronic service via the Court's CM/ECF system. Any other counsel of record will be served by First Class Mail.

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